

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

Richard Gurley,)	No. 4:20-cv-02764-SAL
)	
Plaintiff,)	
)	
v.)	ORDER
)	
KILOLO KIJAKAZI,)	
Acting Commissioner of)	
Social Security Administration,)	
)	
Defendant.)	

This matter is before the court on Plaintiff Richard Gurley's ("Plaintiff") Motion for Attorney's Fees. [ECF No. 22.] The Acting Commissioner does not object to the request. [ECF No. 23.]

Having considered the parties' submissions, the court **GRANTS** Plaintiff's Motion, ECF No. 22, and Plaintiff is awarded attorney's fees in the amount of \$3,496.65, and expenses in the amount of \$21.15 pursuant to 28 U.S.C. § 2412 of the Equal Access to Justice Act ("EAJA"). To accurately reflect the EAJA payee, the attorney's fees are to be paid directly to Plaintiff.

Full or partial remittance of the awarded attorney's fees will be contingent upon a determination by the Government that Plaintiff owes no qualifying, pre-existing debt(s) to the Government. If no such debt(s) exists, and upon production of an assignment indicating that Plaintiff has assigned his right to attorney's fees to his counsel, the Commissioner will honor Plaintiff's assignment of attorney fees to counsel and make the check payable to Plaintiff's counsel. However, if such a debt(s) exists, the Government will reduce the awarded attorney's fees in this Order to the extent necessary to satisfy such debt(s). In that instance, the Commissioner will make the check payable to Plaintiff directly and deliver the check to the business address of Plaintiff's counsel. The amount of attorney's fees payable to Plaintiff will be the balance of

attorney's fees remaining after subtracting the amount of Plaintiff's outstanding federal debt. If Plaintiff's outstanding federal debt exceeds the amount of attorney fees approved pursuant to the Order, the amount of the attorney fees will be used to offset Plaintiff's federal debt and no attorney fees shall be paid.

IT IS SO ORDERED.

/s/Sherri A. Lydon
United States District Judge

February 28, 2022
Florence, South Carolina